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January 28, 2014

Judge Kiyo A. Matsumoto
United States District Court
Eastern District of New York
225 Cadman Plaza East
Room S905
Brooklyn, New York 11201

Re: **Innovation Ventures, LLC et al. v. Ultimate One Distributing Corp., et al., No. 12 Civ. 5354**

Dear Judge Matsumoto:

We represent Defendant Core-Mark International, Inc. ("Core-Mark") in the above-captioned litigation. We write jointly with Plaintiffs regarding Core-Mark's June 14, 2013 request for a pre-motion conference on its proposed partial motion to dismiss Plaintiffs' Seventh Amended Complaint for failure to state a claim as to certain causes. *See* Docket No. 584.

On November 1, 2013, per Plaintiffs and Core-Mark's request, this Court postponed ordering a pre-motion conference or setting a briefing schedule with respect to Core-Mark's proposed motion to dismiss until January 31, 2014 in order to give the parties an opportunity to engage in settlement negotiations. *See* Order granting Motion for Extension of Time to File dated November 1, 2013. The parties have been engaged in settlement negotiations and have decided to enter into mediation to try to resolve this action. Mediation between Core-Mark, certain other defendants and Plaintiffs is scheduled for the week of March 10, 2014. The parties are hopeful that this mediation will obviate the need for motion practice.

As the parties prepare for mediation, Core-Mark and Plaintiffs are writing to request that the Court again postpone the pre-motion conference and briefing schedule with respect to Core-Mark's proposed motion to dismiss until March 31, 2014.

We are available at the Court's convenience to answer any questions or if the Court wishes to discuss further.

Respectfully submitted,

/s/ Randi W. Singer

cc: Counsel of Record (via ECF)